

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

		ATTORNEY'S DOCKET NUMBER 09867/0203134-US0
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/542,874
INTERNATIONAL APPLICATION NO. PCT/JP2004/00279	INTERNATIONAL FILING DATE 16 January 2004	PRIORITY DATE CLAIMED 17 January 2003
TITLE OF INVENTION REMOTE-CONTROL TOY AND FIELD FOR THE SAME		
APPLICANT(S) FOR DO/EO/US Ryoji Hayashi		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98; PTO/SB/08A with five documents.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/542,874	INTERNATIONAL APPLICATION NO. PCT/JP2004/00279	ATTORNEY'S DOCKET NUMBER 09867/0203134-US0																																																																																																																
20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing; Affirmation of priority claim w/PCT/IB/304; Check in the amount of \$140.00; Return Receipt Postcard																																																																																																																		
<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))</td> <td>\$300</td> <td>CALCULATIONS</td> <td>PTO USEONLY</td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$0</td> <td>\$</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$200</td> <td>\$</td> <td></td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$0</td> <td>\$</td> <td></td> </tr> <tr> <td>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td>\$</td> <td></td> </tr> <tr> <td>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB</td> <td>\$400</td> <td>\$</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$500</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 21, 22 and 23 =</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> <tr> <td colspan="3">Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="2">CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td colspan="2">Total claims</td> <td>9 - 29 =</td> <td>x</td> <td>0.00</td> </tr> <tr> <td colspan="2">Independent claims</td> <td>2 - 3 =</td> <td>x</td> <td>0.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+</td> <td></td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 130.00</td> <td></td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. </td> <td></td> </tr> <tr> <td colspan="3"></td> <td>SUBTOTAL =</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="3"></td> <td>TOTAL NATIONAL FEE =</td> <td>\$ 130.00</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td></td> <td>\$ 40.00</td> </tr> <tr> <td colspan="3">SH 00000090 10542874</td> <td>TOTAL FEES ENCLOSED =</td> <td>\$ 170.00</td> </tr> <tr> <td colspan="3">130.00 OP</td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="3"></td> <td>Amount to be charged</td> <td>\$</td> </tr> </table>			21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	CALCULATIONS	PTO USEONLY	22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$		All other situations	\$200	\$		23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100	\$		International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	\$400	\$		All other situations	\$500	\$		TOTAL OF 21, 22 and 23 =		\$ 0.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250.00	Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$ 130.00	CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	Total claims		9 - 29 =	x	0.00	Independent claims		2 - 3 =	x	0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+		TOTAL OF ABOVE CALCULATIONS =			\$ 130.00		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.							SUBTOTAL =	\$ 130.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$				TOTAL NATIONAL FEE =	\$ 130.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	SH 00000090 10542874			TOTAL FEES ENCLOSED =	\$ 170.00	130.00 OP			Amount to be refunded:	\$				Amount to be charged	\$
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	CALCULATIONS	PTO USEONLY																																																																																																															
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$																																																																																																																
All other situations	\$200	\$																																																																																																																
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0	\$																																																																																																																
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100	\$																																																																																																																
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	\$400	\$																																																																																																																
All other situations	\$500	\$																																																																																																																
TOTAL OF 21, 22 and 23 =		\$ 0.00																																																																																																																
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																																		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																																																																																																															
- 100 =	/50 =		x \$250.00																																																																																																															
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$ 130.00																																																																																																															
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE																																																																																																														
Total claims		9 - 29 =	x	0.00																																																																																																														
Independent claims		2 - 3 =	x	0.00																																																																																																														
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+																																																																																																															
TOTAL OF ABOVE CALCULATIONS =			\$ 130.00																																																																																																															
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.																																																																																																																		
			SUBTOTAL =	\$ 130.00																																																																																																														
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$																																																																																																														
			TOTAL NATIONAL FEE =	\$ 130.00																																																																																																														
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00																																																																																																														
SH 00000090 10542874			TOTAL FEES ENCLOSED =	\$ 170.00																																																																																																														
130.00 OP			Amount to be refunded:	\$																																																																																																														
			Amount to be charged	\$																																																																																																														

11/10/2005 MKAYP

01 FC:1617

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. A check in the amount of \$ 170.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the International Application to pending status.


Flynn Barron
(53,970)

SIGNATURE

SEND ALL CORRESPONDENCE TO:

Joseph R. Robinson
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7783

Chris T. Mizumoto

NAME

CUSTOMER NUMBER: 07278

42,899

REGISTRATION NUMBER

Application No. (if known): 10/542,874

Attorney Docket No.: 09867/0203134-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV692133188 - US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on November 4, 2005
Date


Signature


Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

PTO 1390 – 2nd submission (3 pp)
Oath or declaration of the inventor(s)(3 pp)
Recordation Form Cover Sheet (1 pg) w/Assignment (2 pp)
Affirmation of priority claim (1 pg) w/PCT/IB/304
Information Disclosure Statement (2 pp); PTO/SB/08A (1 pg) w/five documents
Check No. 10228 in the amount of \$170.00
Return Receipt Postcard

Express Mail Label No.

Dated: _____

Docket No.: 09867/0203134-US0 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ryoji Hayashi

Application No.: 10/542,874

Confirmation No.: Not Yet Known

Filed: July 18, 2005

Art Unit: Not Yet Known

For: REMOTE-CONTROL TOY AND FIELD FOR
THE SAME

Examiner: Not Yet Assigned

AFFIRMATION OF PRIORITY CLAIM

Mail Stop PCT
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

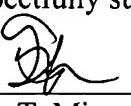
Applicants hereby claim priority under 35 U.S.C. 119 based on the following prior foreign application filed in the following foreign country on the date indicated:

Country	Application No.	Date
Japan	2003-010463	January 17, 2003

A certified copy of the aforesaid Japanese Patent Application was received by the International Bureau on March 5, 2004 during the pendency of International Application No. PCT/JP2004/000279. A copy of Form PCT/IB/304 is enclosed.

Dated: November 4, 2005

Respectfully submitted,

By  *Chris T. Mizumoto*
(S3,970)

Registration No.: 42,899
DARBY & DARBY P.C.
New York, New York 10150-5257
(212) 527-7700/(212) 753-6237 (Fax)
Attorneys/Agents For Applicants